

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DOWNIE JOHN D, et al	Examiner: Unknown
Serial No:	60/437290	Group Art Unit: Unknown
Filed:	12/31/2002	
For:	METHOD FOR ESTIMATING BIT ERROR RATIOS WITHIN AN OPTICAL COMMUNICATIONS NETWORK	

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97 – 1.98**

Commissioner of Patents
Alexandria, VA 22313-1450

Dear Sir:

The Examiner's attention is hereby directed to the following reference(s) listed on the attached Form PTO-1449 for consideration in connection with the examination of the above-identified patent application. One copy of the reference(s) is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the enclosed documents constitute "prior art." If it should be determined that any of the submitted documents do not constitute "prior art" under United States law, applicant(s) reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

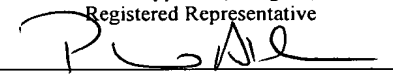
Applicant(s) further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the enclosed references, should one or more of the references be applied against the claims of the present application.

Respectfully submitted,



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Date: 10/2/03

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents, Alexandria, Va 22313-1450 on	
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Date of Deposit	
Philip G. Alden	
Name of applicant, assignee, or Registered Representative	
	
Signature	
<u>10/2/03</u>	
Date of Signature	

FORM PTO-1449 (MODIFIED) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS INFORMATION DISCLOSURE STATEMENT	ATTORNEY DOCKET NO.	SERIAL NO.
	SP02-274P	60/437290
	APPLICANT DOWNIE JOHN D, et al.	
	FILING DATE 12/31/2002	GROUP: Unknown

REFERENCE DESIGNATION				U.S. PATENT DOCUMENTS			
Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date if Approp.
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub-Class	Translation Yes No
	AL						
	AM						
	AN						
	AO						
	AP						
	AQ						

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)		
	AR	Bergano, et al.; "Margin Measurements in Optical Amplifier Systems"; IEEE Photonics Technology Letters, Vol. 5, No. 3; March 1993; pages 304-306.
	AS	Ohteru, et al.; "Optical Signal Quality Monitor Using Direct Q-Factor Measurement"; IEEE Photonics Technology Letters, Vol. 11, No. 10; October 1999; pages 1307-1309.
	AT	
	AU	
	AV	
	AW	

EXAMINER: _____ DATE CONSIDERED: _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609: draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.